IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 14039 of 1998

Between:

Gudiwakalanka Grama Panchayat
rep. by Sarpanch Sri Rama Rao J., S/o Anthervedi.

..... PETITIONER

AND

1 Government of Andhr Pradesh, rep. by Secretary
Irrigation, Secretariat Buildings,
Saifabad, Hyderabad.
2 The Commissioner, Land Revenue,
Government of Andhra Pradesh, Hyderabad
3 The District Collector,
West Godavari Dist, at Eluru
4 Mandal Revenue Officer, Eluru,
West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ, order or direction more especially one in the nature of Writ of Mandamus declaring that no water cess can be levied for the use of water from the Kolleru Lake area by the Bed and Belt Villages namely Gudiwakalanka Village, West Godavari District.

Counsel for the Petitioner : Mr.P.SRI RAGHU RAM

Counsel for Respondents : G.P. FOR IRRIGATION & COMM AREA DEV.

The Court made the following :

ORDER:

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Learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition with a liberty to question Section 3 of the A.P. Water Tax Act, 1988 (Act 13 of 1997). Permission is accorded.

Accordingly, the writ petition is dismissed as withdrawn granting liberty to the petitioner to question Section 3 of the A.P. Water Tax Act, 1988 (Act 13 of 1997). No order as to costs.

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N.V.RAMANA, J

Date: 26.4.2005

DA/SVV

To

1 The Secretary, Government of Andhr Pradesh,
Irrigation, Secretariat Buildings, Saifabad, Hyderabad.
2 The Commissioner, Land Revenue,
Government of Andhra Pradesh, Hyderabad.
3 The District Collector, West Godavari Dist, at Eluru
4 Mandal Revenue Officer, Eluru, West Godavari District.

5 Two CCs to the G.P. for Irrigation & CAD, High Court Buildings, Hyderabad (OUT).

6 Two CCs to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT).

6 Two CD copies.